

**REMARKS**

Applicant notes that the application contains two claims 23. The first claim 23 has been canceled and the numbering of the second claim 23 through claim 35 has been increased by 1. References to the claims by the Applicant in the Amendment are made according to the renumbered claims. Claim dependency has been amended to reflect the renumbering of claims. Claim dependency has been further amended as follows:

1. Claim 4 has been amended to depend on claim 1.
2. Claim 21 has been amended to delete dependence on claim 3.
3. Claims 24-26 have been amended to depend on claim 1.
4. Claims 33, 35 and 36 have been amended to depend on claim 30.

Claims 3, 23 and 34 have been canceled.

Claims 1, 4, 21 and 24-33 and 35-36 have been amended. In compliance with 37 C.F.R. §121(c)(3), a clean version of the entire set of pending claims is being submitted, as is a marked-up version showing changes in the amended claims relative to the previous version of the claims.

New claims 37-39 are submitted for prosecution. Support for claim 37 can be found in claim 4 as filed. Support for claims 38 and 39 can be found in the specification, e.g., at Page 3, Lines 22-28 and Page 11, Lines 18-21.

Claims 1-2, 4, 21, 22 and 24-33 and 35-39 remain in the application. Of these, claims 1 and 38 are independent apparatus claims and claim 30 is an independent method claim.

Claims 4 and 21-36 are rejected under 35 U.S.C. §112, second paragraph. Applicant notes that claims 27-36 are not dependent on claim 4. Therefore, Applicant believes this rejection is intended to apply to claim 4 and its associated dependent claims 21-26. Claim 4 has been amended to eliminate "preferably 0.6 mm to 1.2 mm" and thereby overcome this rejection. New claim 37 depends on the amended claim 4 and incorporates the subject matter deleted from claim 4. Claims 21 and 22 depend on the amended claim 4. Claim 23 has been canceled. Claims 24-26 depend on the amended claim 1.

Claims 1-4 and 21-36 are rejected under 35 U.S.C. §112, first paragraph. The Examiner indicates that it is not clear where the phrase "to enable a desired air flow through the first layer for discharge through said selected parts of the second layer" in claim 1 is supported in the original specification. Applicant notes that claims 30-36 are not dependent on claim 1. Therefore, Applicant believes this rejection is intended to apply to claim 1 and its associated dependent claims 2-4 and 21-29. Applicant respectfully traverses this rejection. The Examiner's attention is directed to the specification at Page 15, Lines 1-17 describing sequential ventilation of a patient's body as

Application Serial No. 09/701,948  
Amendment A

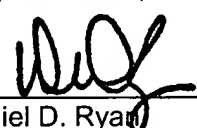
support for this subject matter. Applicant respectfully requests that this rejection be withdrawn.

The claims are rejected in various combinations under 35 U.S.C. §102(b) based upon Strong U.S. Patent No. 4,286,002 (Strong '002) and under 35 U.S.C. §103(a) based upon Strong '002 in view of Jackson U.S. Patent No. 4,280,487 (Jackson '487). Neither of the cited references, alone or combination, teach or suggest, as defined by amended independent claims 1 and 30, an impermeable layer in which a selected part of the layer has perforations of different dimensions. Jackson '487 discloses that the number and perforation may vary (see Col. 4, Lines 45-48). However, Jackson '487 does not contemplate the use of perforations of different dimensions within different regions of a given sheet material layer. In addition, the references do not teach or suggest the advantage of such an arrangement in facilitating an even distribution of air escaping from the perforations across the selected part in response to an air pressure drop across the material from the edge regions towards the center region, as also defined by amended independent claims 1 and 30. Further, the cited references do not teach or suggest, as defined by amended independent claims 1 and new independent claim 38, a sheet material in which air flow can be directed parallel to a first layer and transversely to a second layer to discharge the air through outlet perforations in the selected parts of the second layer.

Allowance of claims 1-2, 4, 21, 22 and 24-33 and 35-39 is respectfully requested.

Respectfully submitted,

By

  
Daniel D. Ryan  
Registration No. 29,243

RYAN KROMHOLZ & MANION, S.C.  
Post Office Box 26618  
Milwaukee, Wisconsin 53226  
(262) 783 - 1300  
701948a.ldr  
January 22, 2003